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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,526	04/15/2005	Joo Hwa Tay	101172.55433US	4497
23911 7590 01/17/2007 CROWELL & MORING LLP				
INTELLECTUA	AL PROPERTY GRO	PRINCE, FRED G		
P.O. BOX 1430 WASHINGTON	00 N, DC 20044-4300		ART UNIT	PAPER NUMBER
	,		1724	
SHORTENED STATUTOR	Y PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE	
3 MOI	NTHS	01/17/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

		Application No.	Applicant(s)			
Office Action Summary		10/511,526	TAY ET AL.			
		Examiner	Art Unit			
		Fred Prince	1724			
Period fo	The MAILING DATE of this communication a or Reply	ppears on the cover shee	with the correspondence ac	ddress		
A SH WHIC - Exter after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REF CHEVER IS LONGER, FROM THE MAILING asions of time may be available under the provisions of 37 CFR SIX (6) MONTHS from the mailing date of this communication. period for reply is specified above, the maximum statutory perior re to reply within the set or extended period for reply will, by state reply received by the Office later than three months after the mated and patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMU 1.136(a). In no event, however, ma od will apply and will expire SIX (6) No ute, cause the application to becom	NICATION. y a reply be timely filed MONTHS from the mailing date of this of a BANDONED (35 U.S.C. § 133).	•		
Status						
2a) <u></u>	Responsive to communication(s) filed on <u>24</u> This action is FINAL . 2b) The Since this application is in condition for allow closed in accordance with the practice under the practice under the practice.	nis action is non-final. vance except for formal m	•	e merits is		
Dispositi	on of Claims					
5)⊠ 6)⊠ 7)□ 8)□ Applicati 9)□	Claim(s) 1,3-14 and 20-31 is/are pending in 4a) Of the above claim(s) is/are withdraware Claim(s) 1,3-14,20-28 and 31 is/are allowed Claim(s) 29 is/are rejected. Claim(s) 30 is/are objected to. Claim(s) are subject to restriction and on Papers The specification is objected to by the Examination of the description of the	rawn from consideration. //or election requirement.	As butter Essentials			
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority u	inder 35 U.S.C. § 119					
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 						
2) 🔲 Notic 3) 🔲 Inform	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO/SB/08) r No(s)/Mail Date	Paper N	w Summary (PTO-413) No(s)/Mail Date of Informal Patent Application			

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DETAILED ACTION

Allowable Subject Matter

1. The indicated allowability of claim 29 is withdrawn in view of the newly discovered reference(s) to Yamauchi (JP 57-190696). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 3. Claim 29 is rejected under 35 U.S.C. 102(b) as being anticipated by Yamauchi (JP 57-190696).

Yamauchi teaches a composition for removing or otherwise reducing the level of inorganic or organic chemicals in an waste sample (abstract), comprising one or more aerobic or anaerobic iron-reducing microorganisms and a cationic iron compound (abstract).

Allowable Subject Matter

- 4. Claims 1, 3-14, 20-28 and 31 are allowed.
- 5. Claim 30 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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6. The following is a statement of reasons for the indication of allowable subject matter:

Claims 1, 3-14, 20-28 and 31 are allowed for the reasons previously indicated by the examiner.

Per claim 30, while claim 29 is not allowable for the reasons presented above, in the examiner's opinion, the prior art fails to teach encapsulating the microorganisms within the cationic compound.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred Prince whose telephone number is (571) 272-1165. The examiner can normally be reached on Monday-Thursday, 6:30-4:00; alt. Fridays 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fred Prince
Primary Examiner
Art Unit 1724

fgp 1/9/07